House File 347 - Introduced

HOUSE FILE 347 BY R. TAYLOR

A BILL FOR

- 1 An Act providing for the display of information regarding the
- 2 content of biofuel in renewable fuels sold by retail dealers
- 3 of motor fuel, including advertising and decals affixed to
- 4 motor fuel pumps, making penalties applicable, and including
- 5 effective date provisions.
- 6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

H.F. 347

- 1 Section 1. Section 214A.3, subsection 2, paragraph b,
- 2 subparagraph (1), Code 2017, is amended to read as follows:
- 3 (1) Ethanol blended gasoline sold by a dealer shall be
- 4 designated according to its classification as provided in
- 5 section 214A.2. However, a person advertising E-9 or E-10
- 6 gasoline may only designate it as ethanol blended gasoline. A
- 7 person advertising ethanol blended gasoline formulated with a
- 8 percentage of between seventy and eighty-five percent by volume
- 9 of ethanol shall designate it as E-85. A person shall not
- 10 knowingly falsely advertise ethanol blended gasoline by using
- 11 an inaccurate designation in violation of this subparagraph.
- 12 Sec. 2. Section 214A.3, subsection 2, Code 2017, is amended
- 13 by adding the following new paragraph:
- 14 NEW PARAGRAPH. c. A person advertising a renewable fuel
- 15 described in paragraph "b" complies with this subsection by
- 16 using a classification or designation prescribed by the United
- 17 States environmental protection agency including as provided in
- 18 40 C.F.R. pt. 80 or prescribed by the federal trade commission
- 19 including as provided in 16 C.F.R. pt. 306.
- Sec. 3. Section 214A.16, subsection 1, paragraphs b and c,
- 21 Code 2017, are amended to read as follows:
- 22 b. If the motor fuel pump dispenses ethanol blended gasoline
- 23 classified as E-11 to E-15 for use in gasoline-powered vehicles
- 24 not required to be flexible fuel vehicles, the motor fuel pump
- 25 shall have affixed a decal as prescribed by the United States
- 26 environmental protection agency, including as provided in 40
- 27 C.F.R. pt. 80.
- c. If the motor fuel pump dispenses ethanol blended gasoline
- 29 classified as higher than standard ethanol blended gasoline
- 30 pursuant to section 214A.2, the decal shall contain the
- 31 following notice: for use in flexible fuel vehicles, the motor
- 32 fuel pump shall have affixed a decal identifying the ethanol
- 33 blended gasoline as prescribed by the federal trade commission,
- 34 including as provided in 16 C.F.R. pt. 306.
- 35 FOR FLEXIBLE FUEL VEHICLES ONLY.

H.F. 347

```
1 Sec. 4. EFFECTIVE UPON ENACTMENT. This Act, being deemed of
```

- 2 immediate importance, takes effect upon enactment.
- 3 EXPLANATION
- The inclusion of this explanation does not constitute agreement with the explanation's substance by the members of the general assembly.
- 6 GENERAL. This bill amends provisions which regulate
- 7 the display of information specifying the classification of
- 8 renewable fuel (ethanol blended gasoline, biobutanol blended
- 9 gasoline, or biodiesel fuel), including the percentage of
- 10 biofuels contained in the renewable fuel (e.g., designated as
- 11 E-10, E-15, or E-85), being sold by retail dealers.
- 12 ADVERTISING. The bill removes a provision which requires
- 13 that ethanol blended gasoline formulated with between 70 and 85
- 14 percent ethanol by volume be advertised as E-85. The bill also
- 15 provides that a retail dealer selling ethanol blended gasoline,
- 16 biobutanol blended gasoline, or biodiesel fuel may advertise
- 17 the fuel in compliance with regulations promulgated by the
- 18 United States environmental protection agency or the federal
- 19 trade commission.
- 20 LABELING. The bill eliminates a provision which requires
- 21 a motor fuel pump dispensing ethanol blended gasoline having
- 22 an ethanol content of higher than 15 percent be affixed with a
- 23 decal notifying consumers that the renewable fuel is for use in
- 24 flexible fuel vehicles (Code section 214A.16). Instead, the
- 25 decal must identify the ethanol blended gasoline as prescribed
- 26 by rules adopted by the United States federal trade commission.
- 27 FEDERAL LAW. The United States environmental protection
- 28 agency provides for the labeling of standard ethanol blended
- 29 gasoline containing from 10 to 15 percent ethanol (40 C.F.R.
- 30 pt. 80) for use in most motor vehicles and the federal trade
- 31 commission provides for the labeling of higher than standard
- 32 ethanol blended gasoline containing 16 or more percent ethanol
- 33 (16 C.F.R. pt. 306) exclusively for use in flexible fuel
- 34 vehicles.
- 35 APPLICABLE PENALTIES. A person who violates a provision

H.F. 347

- 1 of the bill is guilty of a serious misdemeanor or subject
- 2 to a civil penalty of between \$100 and \$1,000 (Code section
- 3 214A.11).
- 4 EFFECTIVE DATE. This bill takes effect upon enactment.